



Press Release 30/2025 English

Inter-American Court visited Chile to monitor compliance with judgments

San José, Costa Rica, May 12, 2025. – A delegation of the Inter-American Court and its Registrar's Office visited Santiago, Chile, from May 5 to 7, 2025, to hold private hearings on monitoring compliance with judgment in four cases regarding Chile, meet with several State authorities and hold a roundtable on national mechanisms for the implementation of the Court's judgments.

On behalf of the Court, the activities were led by Judge Ricardo C. Pérez Manrique, accompanied by the Deputy Registrar, Gabriela Pacheco Arias, and Ana Lucía Ugalde, attorney from the Unit of Monitoring Compliance with Judgment.

The I/A Court HR would like to thank the State of Chile for its willingness and collaboration to perform these activities of monitoring compliance with judgment in its territory. Specifically, it recognizes the collaboration of the Human Rights Division of the Ministry of Foreign Affairs of Chile in organizing the aspects necessary for its execution.

1. *Hearing in the Case of Poblete Vilches et al.*

The judgment, issued in 2018, found the State internationally responsible for failing to guarantee Vinicio Antonio Poblete Vilches access to health without discrimination, through basic and emergency services, especially in his vulnerable condition as an elderly person, which resulted in his death in 2001, as well as the violation of the right to personal integrity for the suffering endured due to failure to provide adequate medical attention to the patient, and access to justice and personal integrity to the detriment of his wife and three children.

The hearing, held on May 5, 2025, sought to receive updated and detailed information from the State and the observations of the victims, their representatives and the Inter-American Commission (IACHR) on five reparations, namely:

- i) to hold a public act of acknowledgment of international responsibility;
- ii) to provide, through its health care institutions, immediately and free of charge, medical psychological care to the victims;
- iii) to implement permanent human rights education programs on the adequate treatment of elderly patients, for medical students, medical professionals and personnel of the health care and social security systems;
- iv) to design a publication or booklet on the human rights of elderly persons with regard to health care, and
- v) to adopt the necessary measures to design a general policy for the comprehensive protection of elderly persons.

The participants in the hearing were: the victims, Vinicio Marco Poblete Tapia and Cesia Leyla Poblete Tapia, and their representatives (inter-American public defenders Silvia Martínez and Claudio Fierro Morales). Karin Mansel, advisor to the Executive Secretary of the Inter-American Commission also participated. On behalf of the State, the participants included authorities and officials from the Human Rights Division of

the Ministry of Foreign Affairs (including the Director) and the Deputy Secretary of Human Rights of the Ministry of Justice and Human Rights.



2. Hearing in the Case of Vera Rojas et al.

In the judgment, issued in 2021, the Court found the State internationally responsible for the violation of the rights to life, a decent life, personal integrity, rights of the child, to health and to social security, in relation to the obligation to guarantee rights free from discrimination, and the duty to adopt domestic legal effects, to the detriment of Martina Vera Rojas, who was four years old at the time of the facts and suffers from “Leigh syndrome.” In addition, it declared the violation of the right to personal integrity of her mother, Carolina Andrea del Pilar Rojas Farías, and her father, Ramiro Álvaro Vera Luza. The events took place in relation to that set forth in Official Communication No. 7 of the Superintendency of Health, which caused the State to fail to comply with its duty to regulate health services, since it permitted excluding from coverage the regime of “home hospitalization” of Martina Vera through a decision of a private health insurance company, a coverage that was necessary for her adequate medical treatment.

The hearing, held on May 5, 2025, sought to receive updated and detailed information from the State and the observations of the victims, their representatives and the IACHR on three reparations, namely:

- i) to enact a legal provision binding the State to ensure the continuation of Martina Vera’s medical treatment, both in terms of her current services and any treatments she may need in the future due to her

illness; the State shall ensure this treatment in the event of her parents' death or their inability to pay for the Isapre health plan or to pay the deductible for CAEC coverage, due to illness, old age or salary level.

- ii) to ensure through its public health care institutions or specialized healthcare personnel, the medical, psychological, and/or psychiatric treatment for Martina Vera's mother and father, and
- iii) To adopt legislative or other measures for the Children's Protection Office to participate in proceedings before the Superintendency of Health or in legal proceedings, in which the rights of children could be affected by the actions of private insurers.

Martina's mother and father, and their legal representatives (Karinna Fernández Neira and Patricio López Turconi) participated in the hearing. Karin Mansel, advisor to the Executive Secretary of the Inter-American Commission also participated. On behalf of the State, the participants included authorities and officials from the Human Rights Division of the Ministry of Foreign Affairs (including the Director), the National Health Fund and the Regional Hospital of Arica.

Moreover, the Children's Ombudsman of Chile gave an oral report, in application of Article 69(2) of the Rules of Procedure of the Court, which allows the Court to request information from "other sources of information" different from that provided by the State as a party to the procedure for monitoring compliance with judgments.



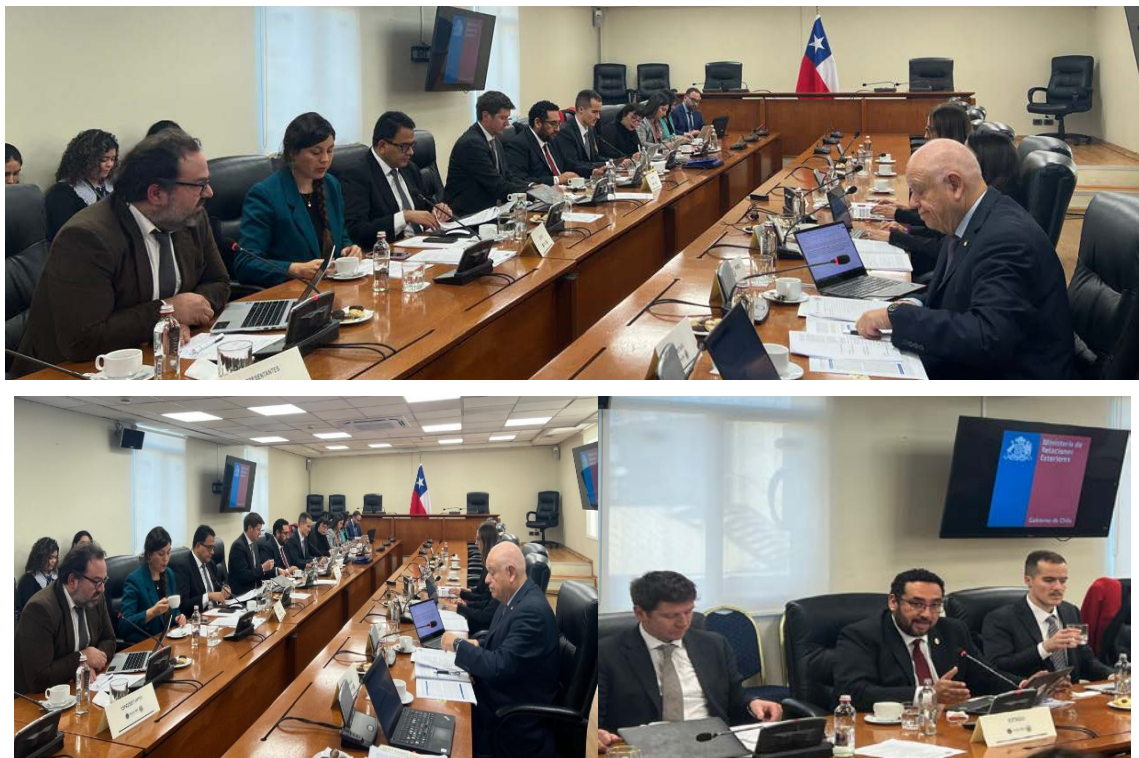
3. *Hearing in the Case of Pavez Pavez*

In the judgment, issued in 2022, the State was found internationally responsible for the violation of the rights to equality and non-discrimination, personal liberty, private life and to work, to the detriment of Sandra Pavez Pavez, due to the discrimination

she endured when she was removed from her position as teacher of Catholic religion at a public school, after her certificate of suitability was revoked by the Office of the Vicar for Education of the Diocese of San Bernardo, based on her sexual orientation. The hearing, held on May 5, 2025, sought to receive updated and detailed information from the State and the observations of the victim's representative and the IACHR on two reparations, namely:

- i) to create and implement a permanent training plan for the persons responsible for evaluating the suitability of the teaching staff at public education centers, on the scope and contents of the right to equality and non-discrimination, including non-discrimination based on sexual orientation, and
- ii) adapt its regulations on the remedy procedure and judicial competence for challenging the decisions of public educational establishments regarding the appointment or removal of religious education teachers as a consequence of the issuance or revocation of a certificate of suitability.

Mr. Branislav Marelic Rokov, the victim's representative, participated in the hearing. Karin Mansel, advisor to the Executive Secretary of the Inter-American Commission also participated. On behalf of the State, the participants included authorities and officials from the Human Rights Division of the Ministry of Foreign Affairs (including the Director), the Ministry of Education (including the Minister) and the Deputy Secretary of Human Rights of the Ministry of Justice and Human Rights.



4. *Hearing in the Case of Norín Catrimán et al. (Leaders, members and activist of the Indigenous Mapuche People)*

In the judgment, issued in 2014, the State was found internationally responsible for the violations committed in the context of the criminal proceedings against eight victims for facts related to a fire at a forestry property, threat of arson and setting fire to a private company's truck, which took place in 2001 and 2002, at Regions Eight and Nine of Chile, in which they were arbitrarily convicted as perpetrators of crimes that were classified as acts of terrorism. The Court determined that the State violated the principle of legality and the right to presumption of innocence, as well as the principle of equality and non-discrimination, the right to the equal protection of the law and the right to personal liberty, to the detriment of the eight victims of the case, namely: three leaders (*Lonkos*: Segundo Aniceto Norín Catrimán, Pascual Huentequero Pichún Paillalao, andl Werkén Víctor Ancalaf Llaupe), four members (Juan Ciriaco Millacheo Licán, Florencio Jaime Marileo Saravia, José Benicio Huenchunao Mariñan and Juan Patricio Marileo Saravia) and one activist (Patricia Roxana Troncoso Robles) of the Indigenous Mapuche People. Among other violations, it also declared that Chile violated the right of the defense to examine witnesses, to the detriment of two of the victims, and the right to appeal the judgment before a higher court or judge, to the detriment of seven of the victims.

The hearing, held on May 6, 2025, sought to receive updated and detailed information from the State and the observations of the victims, their representatives and the IACHR on compliance with three reparations, namely:

- i) to provide, free of charge and immediately, medical and psychological or psychiatric treatment to the victims who request it;
- ii) to award scholarships in Chilean public establishments to the victims and their children, if they request it; and
- iii) to regulate, clearly and precisely, the procedural measure of witness protection involving anonymity, ensuring that this is an exceptional measure, subject to judicial control based on the principles of necessity and proportionality, and that this evidence is not used in a decisive manner as grounds for a conviction, and also to regulate the corresponding counterbalancing measures to ensure the right to defend oneself.

Four victims and their next of kin participated in the hearing, as well as their legal representatives: Mariángeles Misuraca, Helena Rocha and Ezequiel Scafati from the Center for Justice and International Law (CEJIL), as common intervener of the victims' representatives, and the representatives Sergio Fuenzalida, Myriam Reyes and José Bravo. Karin Mansel, advisor to the Executive Secretary of the Inter-American Commission also participated. On behalf of the State, the participants included authorities and officials from Human Rights Division of the Ministry of Foreign Affairs (including the Director), the Deputy Secretary of Human Rights of the Ministry of Justice and Human Rights, the Office of the Secretary of Public Security (including the Deputy Secretary), the Ministry of Education and the Ministry of Health.



I. Activities and protocol meetings

1. *Meeting with the Minister of Foreign Affairs and the Minister of Justice and Human Rights*

On May 5, 2025, Judge Ricardo C. Pérez Manrique held a protocol meeting with Ambassador Tomás Pascual Ricke, Director of Human Rights of the Ministry of Foreign Affairs; Daniela Quintanilla Mateff, Deputy Secretary of Human Rights of the Ministry of Justice and Human Rights; and Oliver López Serrano, Head of the Department of the Inter-American System of the Ministry of Foreign Affairs, at the latter Ministry's facilities.



1. Meeting with the Presidencies of the Commission on Human Rights of the National Congress

On May 7, 2025, Judge Ricardo C. Pérez Manrique met with Senator Francisco Chahuán Chahuán, President of the Commission on Human Rights, Nationality and Citizenship of the Senate, and Deputy Carolina Tello Rojas, President of the Commission on Human Rights and Indigenous Peoples of the Chamber of Deputies of the National Congress of Chile. The following individuals also participated in the meeting Daniela Quintanilla Mateff, Deputy Secretary of Human Rights of the Ministry of Justice and Human Rights, accompanied by Sebastián Cabezas Chamorro, Head of the Division of the Protection of that Secretariat; as well as Oliver López Serrano, Head of the Department of the Inter-American System of the Ministry of Foreign Affairs, and Pamela Olivares, attorney of that Department.

During the meeting they spoke about the implementation of guarantees of non-repetition ordered in the judgments of the Inter-American Court that entail reform or adoption of domestic regulations.



2. Asistencia al Acto Público de Reconocimiento de Responsabilidad Internacional del Caso Profesores de Chañaral y otras Municipalidades

El 6 de mayo de 2025, el Juez Ricardo C. Pérez Manrique asistió, por invitación del Estado de Chile, a presenciar el acto público de reconocimiento de responsabilidad internacional del *Caso Profesores de Chañaral y otras Municipalidades*, el cual fue presidido por el señor Gabriel Boric Font, Presidente de la República de Chile. Dicho acto se realizó en el Patio de Las Camelias del Palacio de la Moneda.

3. Attendance of the Act of Public Acknowledgment of International Responsibility in the Case of the Teachers of Chañaral and other municipalities

On May 6, 2025, Judge Ricardo C. Pérez Manrique attended, at the invitation of the State of Chile, the public act of acknowledgment of international responsibility in the *Case of the Teachers of Chañaral and other Municipalities*, which was led by Gabriel Boric Font, President of the Republic of Chile. This act was held at the "Las Camelias" patio of the "Palacio de la Moneda."

II. Roundtable with States on the “National Mechanisms for the Implementation of the Judgments of the I/A Court HR”

On May 6, 2025, the first roundtable was held on the national mechanisms, instances and institutional structures to implement the Judgments of the I/A Court HR. It took place at the seat of the Ministry of Foreign Affairs of Chile.

This roundtable was private, non-jurisdictional, jointly organized by the I/A Court HR and the Ministry of Foreign Affairs of Chile, in order to create a constructive space for dialog and exchange among agents who represent various States in the monitoring compliance with judgment stage. The States invited were those who were geographically near Chile.

There were representatives from Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay and Uruguay. We appreciate the efforts made to attend the event.

Two main topics were addressed in this roundtable:

- i) the national mechanisms, or, at least, existing instances or institutional structures to implement the judgments of the I/A Court HR, and
- ii) the regulations, good practices, advances and challenges to compliance with pecuniary measures.



The Inter-American Court of Human Rights would like to thank the Government of Sweden and the Swedish International Development Cooperation Agency (SIDA) for their valuable support to hold this visit of monitoring compliance in the Republic of Chile, in the framework of the institutional strengthening of the Court.



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